

NON-RESIDENT TUITION STUDENTS

The Spring Lake Board of Education ("Board") is authorized by *N.J.S.A. 18A: 38-3* to admit students who are not residents of the Spring Lake School District upon such terms and conditions as established by the Board.

For the purpose of encouraging and enhancing the academic and social emotional environment, the Board may agree to accept non-resident students to attend grades kindergarten through five, subject to the following requirements, terms, and conditions:

- A. The Chief School Administrator ("CSA") will review all applications for admission pursuant to admission guidelines as stated hereinafter. All applicants recommended by the CSA for acceptance shall be presented to the Board for approval. The parent/guardian ("parents") of the applicant must confirm in writing the intended enrollment of the student to the School Business Administrator/Board Secretary within ten (10) days of the receipt by the parents of notice of Board approval.
- B. A non-refundable one hundred and fifty dollar-(\$150) fee will be collected with each original application. The fee will not be applied to any tuition due or that becomes due.
- C. Any child whose parents are domiciled outside the school district shall be considered non-resident. Non-resident students may be admitted on a tuition basis upon the following conditions:
 1. The CSA certifies:
 - a. In consultation with the Board that class size, with the admission of the non-resident student applicant, can accommodate additional students without any impact on student performance, staffing, and resources; and
 - b. That the educational needs of the non-resident student applicant are such that no additional expenditures beyond the tuition charged by the Board will be required.
 2. The parents of the non-resident student applicant will complete, sign, and submit an Application Form (Forms A, B, C attached to this policy) to the CSA;
 3. The non-resident student applicant will be interviewed by the CSA;
 4. The non-resident student will be administered a placement/screening assessment by school personnel;
 5. All prior school records of the non-resident student applicant shall be presented upon request and prior to acceptance of the student; and
 6. The parents of the non-resident student applicant will submit two letters of recommendation; one from a teacher and one from a school administrator of the school last attended by the non-resident student applicant..
- D. The Board reserves the right to remove any student admitted under this policy for reasons of discipline, code of conduct infractions, attendance, appropriate academic progress, and/or failure to pay tuition. If this removal occurs, the student's home district will be notified.
- E. Students are admitted under this policy upon the assumption that their educational needs can be addressed at an incremental cost to the school district equal or less than the amount of tuition they

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_____ Other Reasons

are required to pay. Should it be determined at any time that this is not so, the Board reserves the right to remove the non-resident student or request supplemental fees for the program the non-resident student is attending.

- F. The parents of non-resident students will be responsible for transportation. The Board shall not be responsible for the transportation of any non-resident student.
- G. Non-resident students shall maintain and adhere to school discipline, attendance, and code of conduct requirements. In the event a student fails to do so, the Board may terminate the enrollment of the student in the HW Mountz Elementary School.
- H. The Board will not accept students who are classified to receive special education. Non-resident students who, after enrollment, are classified by the child study team and who require placement in another school setting outside the Borough of Spring Lake, shall be released and removed to the non-resident student's resident school district. Tuition paid by the parents to the Board shall be refunded on a prorated basis.
- I. Non-resident tuition students shall be afforded the same program opportunities as resident students. However, if the district determines special services, additional personnel, equipment, and/or materials are required for a non-resident tuition student to continue their enrollment, the parents will be notified in writing by the CSA. Payment for any special services, additional personnel, equipment, and/or materials will be in addition to previously stated tuition and will be due within thirty (30) days after the billing date. Failure to pay the additional cost will constitute cause for removal of the pupil from the HW Mountz Elementary School.
- J. The Board will accept students into the regular education program. Special education needs and Section 504 accommodations, modifications and supports that necessitate additional costs cannot be met at regular tuition rates. This includes any programs or services that require a child study team evaluation, classification, programming or instruction by a special education teacher. Additionally, enrichment programs beyond the regular HW Mountz School gifted and talented program will be the responsibility of the parent.
- K. In accordance with law and Board policy, the decision to admit, decline admission, or readmit a non-resident tuition student shall not be based upon gender, race, religion, economic status or social status.
- L. The CSA shall report to the Board each marking period regarding the non-resident tuition program. The Board shall evaluate the program during the first quarter of each calendar year.
- M. Tuition for all non-resident students enrolled in grades pre-kindergarten through five shall be in accordance with a schedule approved by the Board. The schedule may be modified by the Board annually. Rates will be established each April of the preceding school year and notification of the rates will be provided to all non-resident tuition and prospective students. The following governs the Pupil Tuition Contract ('contract') between the Board and the parents of the non-resident tuition students:
 - 1. A completed contract (Form A Attached to this policy) and a \$250.00 non-refundable acceptance fee must be remitted to the School Business Administrator/Board Secretary within ten (10) days of written notification of acceptance of the student and will be applied toward the first tuition payment.
 - 2. Grades Prekindergarten-through 5th grade parents of enrolled non-resident students shall agree to pay annual tuition, as approved by the Board. Tuition payments will be made in

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two equal installments and are due on the first day of September and January. At the discretion of the School Business Administrator/Board Secretary, alternative or advance payment plans may be requested due to individual circumstances.

3. Parents shall agree to comply with all requirements set forth in the policy of the Board governing non-resident tuition students, a copy of which is incorporated and made part of the contract. All fees and payments are non-refundable. In the event of non-payment of any charge or fee when due, parents will agree the non-resident student's enrollment may be canceled and the pupil shall be removed from the HW Mountz School immediately upon notice from the CSA.
4. All laws, regulations, and requirements applicable to resident student shall apply to non-resident student.
5. The contract is subject to the approval of the Board and shall have no force or effect until approved.
6. In the event a student fails to maintain appropriate academic and/or social standards or fails to adhere to school code of conduct, attendance, or discipline requirements, the Board may determine to void this contract in which case the student shall immediately be removed from the HW Mountz School.
7. In the event acceptance of non-resident tuition student is rendered invalid by law, judgment or legal decision or otherwise, the Board's only liability shall be for the return of any pro-rated tuition payments
8. Tuition paid will be refunded under the following conditions:
 - a. Should non-resident parents withdraw their child, tuition will not be reimbursed;
 - b. Should a non-resident parents move out of the area where it would be deemed unreasonable to expect continued enrollment at H.W. Mountz School, tuition paid will be reimbursed for each complete month the child(ren) are no longer enrolled; and
 - c. Should the CSA remove a non-resident tuition paying student from continued enrollment in the H.W. Mountz School as indicated above, the parent will be reimbursed paid tuition on a pro-rated basis.

NJSBA Review:

First Reading:

Adopted:

Key Words

Admission, Resident, Pupil Records, Affidavit Pupil, Homeless Pupil, Student Records,
Affidavit Student, Homeless Student

Legal References: N.J.S.A. 18A:7B12
N.J.S.A. 18A:7B-12.1

District of residence; determination
Homeless child; responsibility for education;
determination of placement; payment of costs

_____ Monitored
_____ Mandated
_____ Other Reasons

<u>N.J.S.A.</u> 18A:7C	High School Graduation Standards
<u>N.J.S.A.</u> 18A:7C-12	Juvenile detention centers, transfer of credit
<u>N.J.S.A.</u> 18A:3619a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:3625.1	Proof of child's identity required for enrollment; transfer of record between districts
<u>N.J.S.A.</u> 18A:381	Attendance at school free of charge
<u>N.J.S.A.</u> 18A:382	Free attendance at school by nonresidents placed in district under court order
<u>N.J.S.A.</u> 18A:383	Attendance at school by nonresidents
<u>N.J.S.A.</u> 18A:384	Free attendance to persons over age
<u>N.J.S.A.</u> 18A:385	Admission of students under age
<u>N.J.S.A.</u> 18A:385.1	No child to be excluded from school because of race, etc.
<u>N.J.S.A.</u> 18A:386	Time of admission of students; first school year
<u>N.J.S.A.</u> 18A:387.7	Legislative findings and declarations
<u>N.J.S.A.</u> 18A:388	Duty to receive students from other districts
<u>N.J.S.A.</u> 18A:3825	Attendance required of children between six and 16; exceptions
<u>N.J.S.A.</u> 18A:4020	Immunization at public expense
<u>N.J.S.A.</u> 18A:441	Establishment of nursery schools or departments; eligibility for admission
<u>N.J.S.A.</u> 18A:442	Establishment of kindergarten; eligibility for admission
<u>N.J.S.A.</u> 26:1A9.1	Exemption of students from mandatory immunization
<u>N.J.S.A.</u> 26:46	Prohibiting attendance of teachers or students
<u>N.J.A.C.</u> 6A:12-3.1	Choice district application procedures
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:16-2.2	Required health services
<u>N.J.A.C.</u> 6A:16-2.4	Required student health records
<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:22-1.1 <u>et seq.</u>	Entitlement to Attend School Based on Domicile or Student Residency
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:22-3.1, 3.2, 3.3, 3.4	
<u>N.J.A.C.</u> 6A:23A-19.2, -19.3	Method of determining the district of residence
<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
<u>N.J.A.C.</u> 8:57	Communicable diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:572	
<u>N.J.A.C.</u> 8:611.1	Attendance at school by students or adults infected by Human ImmunoDeficiency Virus (HIV)

Tepper v. Board of Education of the Township Hackensack, Bergen County, 1971
S.L.D., 549

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No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Plyler v. Doe, 457 U.S. 202 (1982)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512
(App.Div.1999)

Possible

Cross References: 3240 Tuition income
*5118 Nonresidents
5119 Transfers
*5120 Assessment of individual needs
*5141 Health
*5141.2 Illness
*5141.3 Health examinations and immunizations
*6164.4 Child study team
*6171.4 Special education
6174 Summer school
6178 Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

PRIVATE TUITION APPLICATION
Spring Lake Board of Education
H. W. Mountz School
Spring Lake, New Jersey 07762

5111.01
FORM A

New Application
 Returning Student Application

Student's Name _____ D.O.B. _____

Parent/Guardian Name(s) _____

Address _____

Home Phone _____ Cell Phone _____

Work Phone _____

THE SECTION BELOW IS NOT NECESSARY FOR CURRENT NON-RESIDENT SPRING LAKE SCHOOL STUDENTS

Student's Current or Last School _____ Grade Level _____

Address of School _____

Phone # of School _____

Student's Most Recent Report Card Grades for Grades K-5*

Subject	Grade
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- *Please attach the following:
Most Recent Report Card
Letter of Recommendation from Most Recent Teacher
Letter of Recommendation from Most Recent Principal
Prior School Records (including health records)

PRIVATE TUITION APPLICATION
Spring Lake Board of Education
H. W. Mountz School
Spring Lake, New Jersey 07762

PARENT/GUARDIAN SECTION

Please sign on the space provided to acknowledge that you have read, understand and agree to all of the following:

- a. Spring Lake Board of Education Policy #5111.01 and procedures from forms A, B, and C.
- b. Transportation of the student is the parent/guardian's responsibility and costs are not reimbursable by the Spring Lake Board of Education ("Board") or any other public school.
- c. Tuition payments are to be made September 1 and January 1. The Board reserves the right to remove a student from enrollment for failure to pay tuition.
- d. The Spring Lake Board of Education will not provide child study team and/or special education services for non-resident tuition students unless the Board and parent/guardian enter into a separate agreement to provide services. The parent/guardian agrees to withdraw and remove the non-resident student should in the opinion of the Board through its staff a special education referral or classification be indicated.

Date _____

Parent/Guardian

Date _____

Parent/Guardian

STUDENT SECTION

Please sign on the space provided acknowledging that you have read and agree to all of the following: (Not applicable for students in Grades PreK-2)

- a. As a Spring Lake School District student I will obey all school rules and the directions of teachers and staff members.
- b. As a Spring Lake School District student I will do my best to become involved in student activities.
- c. As a Spring Lake School District student I will do my best to succeed academically.

Date _____ Student Signature _____

Administrative Section (to be filled out by HW Mountz Administration only):

	<u>Initial</u>	<u>Date</u>
<i>Completed Application Received</i>	_____	_____
<i>\$150 Application Fee Received</i>	_____	_____
<i>Academic Record Received</i>	_____	_____
<i>Principal Interview Completed</i>	_____	_____
<i>Testing Completed</i>	_____	_____
<i>Recommendation to Admit</i>	_____	_____
<i>Board Action</i>	_____	_____

**SPRING LAKE SCHOOL DISTRICT
NON-RESIDENT TUITION STUDENTS – ADMISSION AND RE-ADMISSION**

**5111.01
FORM B**

ADMISSION

1. Admission as a non-resident tuition student shall be by administrative recommendation and approval by the Board of Education. It is recognized that these are subjective decisions to a degree. Staff members are directed to give all applicants fair and equitable consideration in accordance with Board Policy #5111.01 and the conditions set forth in Forms A, B & C.
2. Applicants may be submitted to the principal at any time. They will be collected and retained until April of the year preceding the desired admission date. Admission decisions for September will be made by the end of April or as determined by the CSA as recommended to the Board of Education and the decisions are to be communicated by the Superintendent, in writing, to parents of the applicants.
3. Students who are admitted shall have:
 - a. A strong record of academic success;
 - b. A letter of recommendation from the prior school principal and a teacher which documents a consistent record of excellent school citizenship and behavior; and
 - c. Completed a district assessment instrument and performed satisfactorily as assessed by the administration.
4. All applicants shall be interviewed by the Chief School Administrator, who may require additional interviews, testing or records.
5. Students seeking admission during the school year shall be subject to the same admissions criteria and their applications shall be reviewed on a case by case basis. Regardless of the initial admission date, admission is for that school year only.

RE-ADMISSION

1. Re-admission for the following school year is not automatic. If there remains room in the sections of the class into which the student would go in a successor year, the non-resident student may apply for consideration for re-admission.
2. Students who have not maintained an 85 average (based upon all subjects with no failing grades) shall not be re-admitted. The principal may waive this condition if in his/her judgment, extenuating circumstances contributed to an academic average below 85.
3. Students who have been suspended from school one time or who have demonstrated a need for repeated detentions for disciplinary reasons shall not be re-admitted for the

**SPRING LAKE SCHOOL DISTRICT
NON-RESIDENT TUITION STUDENTS – ADMISSION AND RE-ADMISSION**

following school year. Based upon the severity of the offenses causing a suspension, a student may or may not be allowed to complete the school year.

4. If a tuition bill is outstanding, the student will not be re-admitted until it is addressed to the satisfaction of the Board of Education. This included late fees for delinquent payments.

5. Students applying for re-admission shall be given priority over first-time applicants for the same class. Re-admission decisions shall be completed no later than July 30th.

I have read Form B “Non-resident Tuition Students – Admission and Re-Admission” and agree to the provisions set forth herein.

Parent Guardian

Date

Parent Guardian

Date

Student's Name

Grade

**SPRING LAKE BOARD OF EDUCATION
SPRING LAKE SCHOOL DISTRICT
NON-RESIDENT TUITION STUDENTS – REVOCATION OF STATUS**

**5111.01
FORM C**

Attendance by non-resident tuition students is a privilege, not a right. The intention of the non-resident tuition program is to enhance enrollment without increasing costs or staff time because of the needs of non-resident tuition students. Non-resident tuition students are expected to be academically successful and to demonstrate excellent behavior.

1. Re-admission procedures establish general criteria that will be applied in re-admission decisions (see Form B). However, the non-resident tuition student's status may be revoked at any time if, in the opinion of the Board of Education, such action is warranted.
2. The administration may recommend revocation of non-resident tuition student status for the following reasons.
 - a. Non-resident tuition students in the possession of and/or distributing controlled dangerous substances or in possession of alcohol.
 - b. An incident in which excessive violence (in the Superintendent's opinion) was used by/or involved the non-resident tuition student.
 - c. Possession of a gun, knife or other item deemed by the principal to be a weapon.
 - d. Assault of any kind upon a teacher, staff member, or other student.
 - e. Any other very serious misbehavior, including but not limited to Harassment, Intimidation, and Bullying.
 - f. Failure of the non-resident student or parent/guardian to respond to staff interventions intended to address behavior or academic issues.
 - g. Failure to fully pay tuition owed.
3. The principal may at his/her discretion establish a "probationary" period prior to a recommendation for revocation of non-resident student status. The terms and conditions of the probation shall be reduced to writing and presented to the student and his/her parent/guardian at a conference conducted for that purpose. Probation may be established for academic or behavioral reasons.
4. Revocation of non-resident student status requires action by the Spring Lake Board of Education. Parents shall be notified that such an action has been recommended and invited to be present to discuss the recommendation with the Board prior to Board action.

**SPRING LAKE BOARD OF EDUCATION
SPRING LAKE SCHOOL DISTRICT
NON-RESIDENT TUITION STUDENTS – REVOCATION OF STATUS**

I have read Form C "Private Tuition Student – Revocation of Status" and agree to the provisions therein.

_____ Parent/Guardian	_____ Date
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_____ Parent/Guardian	_____ Date
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_____ Student's Name	_____ Date
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**SPRING LAKE BOARD OF EDUCATION
SPRING LAKE SCHOOL DISTRICT
NON-RESIDENT TUITION STUDENTS – REVOCATION OF STATUS**

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Policy

ADMISSION

Eligibility

The Spring Lake Board of Education shall admit to its school free of charge the following persons over five and under 20 years of age:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration from the parent/guardian as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of New Jersey Administrative Code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and
- H. Any student residing on federal property within the state pursuant to statute.

Proof of Eligibility

The board shall accept any of the forms of documentation that are listed in the New Jersey Administrative Code when they are presented by person(s) attempting to demonstrate a student's eligibility for enrollment in the district. The board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not legitimate bases for determining eligibility to attend school.

Preschool (Pre-Kindergarten)

- A. Registration for the preschool program will be held in February for the following school year;
- B. The following shall be required for registration:
 - 1. Birth certificate – the child must be 3 or 4 years old by October 31;
 - 2. The child is toilet trained;
 - 3. Proof of residency; and
 - 4. Immunization record.
- A. The program, which includes two half-day sessions per day, will serve a total of thirty students (ages 3 or 4). The enrollment for each class will be no more than fifteen (15) students per class. Each class shall be staffed by a certified teacher and an instructional aide. Each session of the preschool program shall run for 2.5 hours 5 days a week during the school year and on days when school is in session;
- B. Spaces in the preschool program shall be reserved for special needs students. Resident students with special needs and nonresident students with special needs from other local education agencies (LEA) shall be considered first for these spaces. Preschool students with special needs shall be mainstreamed as appropriate;
- C. If more regular education students than available spaces apply for the preschool program, the applicants will be randomly chosen by lottery. The lottery shall be held in March. The students not chosen by the lottery shall be placed on a waiting list in the order in which their name was drawn.

Kindergarten

Any child residing in the district shall be admitted to the kindergarten provided:

- A. The child will have attained the age of five years on or before October 31 of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed and provided to the school district within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school physician or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 31 of that school year;
- B. He/she has been in the first grade in another public school;

C. Proof has been furnished of immunization against communicable diseases.

Transfers Into Grades Two through Eight

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the chief school administrator shall request in writing from the school or district of previous attendance, the student's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the state mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint Legal Custody

When divorced parents/guardians have joint legal custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date set forth in the New Jersey Administrative Code guidelines.

Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the school district, all procedures of law and code shall be followed.

Nonresidents

The district is required to educate children of appropriate age whose parent/guardian is domiciled in the district. Owning real property in the Borough of Spring Lake does not legally entitle a parent/guardian to send their children to school in the school district. See policy 5118 Nonresidents.

Verification

The board reserves the right to verify the residency of any student and the validity of any affidavit of guardianship.

Students Returning from County Detention

The district shall accept all days of attendance and courses that a student is enrolled in at a county juvenile detention center and apply them toward district requirements for elementary and middle school.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals made by parents/guardians or other parties in accordance with New Jersey statutes, Administrative Code and federal law.

The board shall make this policy available to parents and the public.

Non-Resident Tuition Pupils

Any other child whose parents reside outside the school district shall be considered a non-resident. Non-resident pupils may be admitted on a tuition basis as outlined in board policy 5111.01, Non-Resident Tuition Students.

First Reading: January 26, 2009
Adopted: February 23, 2009
NJSBA Review/Update: February 2012
Readopted: September 24, 2012

Key Words

Admission, Resident, Pupil Records, Affidavit Pupil, Homeless Pupil, Student Records, Affidavit Student, Homeless Student

Legal References:	<u>N.J.S.A.</u> 18A:7B12	District of residence; determination
	<u>N.J.S.A.</u> 18A:7B-12.1	Homeless child; responsibility for education; determination of placement; payment of costs
	<u>N.J.S.A.</u> 18A:7C	High School Graduation Standards
	<u>N.J.S.A.</u> 18A:7C-12	Juvenile detention centers, transfer of credit
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	<u>N.J.S.A.</u> 26:1A9.1	Exemption of students from mandatory immunization
	<u>N.J.S.A.</u> 26:46	Prohibiting attendance of teachers or students
	<u>N.J.A.C.</u> 6A:12-3.1	Choice district application procedures

N.J.A.C. 6A:14-1.1 et seq. Special Education
N.J.A.C. 6A:16-2.2 Required health services
N.J.A.C. 6A:16-2.4 Required student health records
N.J.A.C. 6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
N.J.A.C. 6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or
See particularly: Student Residency
N.J.A.C. 6A:22-3.1,
3.2, 3.3, 3.4
N.J.A.C. 6A:23A-19.2, -19.3 Method of determining the district of residence
N.J.A.C. 6A:32-8.2 School enrollment
N.J.A.C. 8:57 Communicable diseases
See particularly:
N.J.A.C. 8:572
N.J.A.C. 8:611.1 Attendance at school by students or adults infected by
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6174 Summer school
6178 Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

TUITION FEES

Non-Resident Tuition

Students in grade Pre-Kindergarten through Grade 5 who are not residents of Spring Lake School District may attend the HW Mountz School with payment of tuition in accordance with board policy 5111.01 Tuition for Non-Resident Students.

Pre-Kindergarten Resident Tuition

The district shall operate a tuition based pre-kindergarten program for district residents. The program shall be operated in accordance with board policy and regulation 6178 Early Childhood Education, Preschool. Current residents of the district shall be given first priority for the space available. Future residents of Spring Lake may apply for admission to the pre-kindergarten program and may be enrolled if space is available after all current resident applicants have been offered admission.

The tuition fees shall be determined annually by the board and shall be revised as changes in costs indicate. The rate of tuition shall not exceed the projected actual cost per pupil for the ensuing year.

The prekindergarten program tuition shall be determined annually by the board. Accommodations shall be made for students whose families have a financial hardship that would prevent participation in the preschool program due to the cost of tuition. Financial hardship shall mean families who meet the federal criteria for free and reduced priced milk or lunch. The board shall consider other criteria for financial hardship on a case-by-case bases only after the applicant completes the tuition reduction/waiver form and provides all documentation requested. All applications for tuition reduction and tuition wavier shall be evaluated and approved by the board and the decision of the board shall be final.

The Prekindergarten tuition rates shall be made known to the parent/guardian prior to the start of the school year and, where possible, all differences worked out in advance of billings. Tuition billings will be made monthly immediately following the billing period. When a pupil attends more than one day, the parent/guardian will be charged for a full month of tuition, if so permitted by federal/state law and/or regulation.

NJSBA review/Update: February 2012
Adopted: March 26, 2012
Readopted: May 20, 2013

Key Words

Tuition, Fees, Tuition Rates, Preschool Tuition

Legal References: N.J.S.A. 18A:38-8 Duty to receive pupils from other districts
N.J.S.A. 18A:38-19 Tuition of pupils attending schools in other district

N.J.S.A. 18A:46-21 Tuition

Possible

Cross References:

*5118	*5111	Admission
*6178	Nonresidents	
	Early childhood education, preschool	

*Indicates policy included in the Critical Policy Reference Manual.

Policy

Monitored
 Mandated
 Other Reasons

NON-RESIDENTS

The Spring Lake Board of Education ("Board") shall operate the schools of this district for the benefit of all children resident in the district and such others as may be admitted, pursuant to statute and policy of the board. The Board reserves the right to verify the residency of any student and the validity of any affidavit of guardianship. Documentation required to prove eligibility to attend the schools of this district shall be in accord with policy 5111 Admission and the New Jersey Administrative Code.

Future Residents

A child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence in this district shall be enrolled for a period not to exceed 15 days prior to the anticipated date of residency without tuition charges. If the child has not become a resident of the district by the end of the period of free attendance, tuition shall be required for the remainder of the time until residency is established. Transportation of non-resident students is the responsibility of the parent/guardian.

Parents/guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. The board reserves the right to verify such claims, and to remove from school a nonresident student whose claim cannot be verified. A copy of lease, closing papers, or a certificate of occupancy may be required.

Former Residents

Regularly enrolled children whose parents/guardians have moved out of the school district during the final marking period shall be permitted to finish the school year without payment of tuition. Regularly enrolled children whose parents/guardians move from the district at any other time during the school year may remain enrolled for the remainder of the school year on payment of tuition prorated. If the parent/guardian relocates to a school district that sends high school student to Manasquan High School, the provisions of NJSA 18A:38-1 will take precedent. Transportation shall be the responsibility of the parents.

Foreign Exchange Students

The Board may admit foreign exchange students to the district in order to promote cultural awareness and understanding among students.

The Board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored exchange programs approved by the board. Tuition may be waived for students on a J-1 visa.

The board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for students on an F-1 visa, and attendance in district schools shall not exceed 12 months. Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the board under any circumstances.

All potential organizations or individuals applying for admission shall forward the request to the chief school administrator by July 1 preceding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The chief school administrator shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

Homeless Students

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and New Jersey Administrative Code, as well as pertinent federal law. The district will designate a "homeless student liaison" to help the homeless student enroll in school, make sure that the homeless student is enrolled and attending school, and see that the district meets federal and state requirements for educating homeless students.

Other Non-resident Students

The Board shall provide a free public school educational program for the benefit of school-aged children residing in the district according to the provisions of N.J.S.A. 18A:38-1 et seq. Any student residing within the school district in the home of a person other than his/her parents must be supported gratis as if he/she were that person's own child. In such cases, the following documentation will be required.

- A. A sworn statement from the person with whom the child resides stating that he or she is providing a domicile for the child, is supporting the child gratis, will assume all personal obligations for the child relative to school requirements, and intends to keep and support the child gratuitously for a longer time than merely through the school team;
- B. The resident with whom the child resides will provide a copy of his/her lease if the individual is a tenant, or a sworn statement by the landlord acknowledging the individual tenancy, or other documentation confirming legal residency in the Borough of Spring Lake.
- C. A sworn statement from the child's parent or guardian that the parent/guardian is not supporting the child, accompanied by documentation to support the validity of the sworn statements including that it is a hardship for the parent/guardian to support the child.

Individuals permitting a non-resident student to reside at their residence will be advised by the Board that it reserves the right to verify the residency of any student and the validity of any sworn statement. The Board reserves the right to contest the validity in proceedings before the Commissioner of Education and if it is determined that the evidence does not support the claim of the resident, then the Commissioner of Education may assess the resident tuition for the student prorated to the time of the Board's request for the sworn statement from the resident. Such persons shall be advised that any person who fraudulently allows a child of another person to reside at his/her residence and who is not the primary financial supporter of that child, and any person who fraudulently claims to have given up custody of his child to a person in another district commits a disorderly persons offense. That resident may be assessed tuition for the student pro-rated to the time of the Board's request for a sworn statement from the resident.

The chief school administrator shall develop procedures for the enrollment of non-resident children that: allows admission of such children only on the proper application of parent/guardian; verifies claims of residency and submission of affidavits of guardianship; denies admission where the educational program maintained for the children of this district is inadequate to meet the needs of the applicant; does not exclude any child, otherwise eligible, on the basis of such child's race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry;

and makes continued enrollment of any non-resident pupil contingent upon maintaining good standards of citizenship and discipline.

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition. The district shall not be responsible for transporting the child.

The chief school administrator or his/her designed shall recommend to the board for its approval the admission of qualified applicant.

The board shall not be responsible for the transportation to or from school of any non-resident pupils.

The board shall annually determine tuition rates for non-resident pupils.

Non-resident Procedures

Under the general authority granted to New Jersey school districts, the Board will admit non-resident students, upon payment of tuition, and according to the guidelines outlined in Policy 5111.01, Tuition for Non-Resident Students.

First Reading: October 27, 2003
Adopted: November 19, 2003
Updated: May 18, 2009
NJSBA Review/Update: February 2012
Readopted: September 24, 2012

Key Words

Nonresidents, Tuition Pupil, Affidavit Pupil, Homeless Pupil

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7F-45	Definitions
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:36B-14 <u>et seq.</u>	<u>Interdistrict Public School Choice Act of 1999</u>
<u>Program</u>	<u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u>	Attendance at school free of charge
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:38-2, 38-3, 38-8, 38-9	
	<u>N.J.S.A.</u> 18A:46-20	Receiving students from outside district; establishment of facilities
schools)	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational Interdistrict Public School Choice
	<u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u>	Students at Risk of Not Receiving a Education
Public	<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Student residency
	<u>N.J.A.C.</u> 6A:22	
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:22-3	Eligibility to attend school
	<u>N.J.A.C.</u> 6A:22-3.1	Students domiciled within the school
district		

N.J.A.C. 6A:23A-19.2

Method of determining the district of residence

N.J.A.C. 6A:23A-19.3
district of residence

Address submission for determining the

8 U.S.C. 1101 - Illegal Immigrant and Immigration Responsibility Act of 1997

Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent listing 333 N.J. Super. (App. Div. 2000)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512 (App. Div 1999)

Possible

Cross References: 3240 Tuition income
*5111 Admission
*5114 Suspension and expulsion
6142.5 Travel and exchange programs
*6151 Class size

*Indicates policy is included in the Critical Policy Reference Manual.